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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No.13762 of 2006
Date of Decision : Oct. 28, 2006

Avtar Singh

... Petitioner

v.

State of Punjab and others

.. Respondents

CORAM : Hon`ble Mr. Justice Jasbir Singh,
Hon`ble Mr. Justice Pritam Pal.

Present : Shri Amar Singh, Advocate,
for the petitioner.

Shri P.S.Chhina, Addl. A.G., Punjab,
for the respondent-State.

Shri Harit Sharma, Advocate,
for Shri D.V.Sharma, Advocate,
for respondent No.4.

JASBIR SINGH, J. (Oral)

This writ petition has been filed with a prayer to quash award dated 27.1.2005 (Annexure P/1) vide which the Arbitrator held the petitioner liable to make payment of Rs.46,000/- alongwith interest. Further prayer is to quash orders dated 6.3.2006 (Annexure P/2) and 28.6.2006 (Annexure P/3), vide which appeal and revision filed by the petitioner, were dismissed.

It is contention of counsel for the petitioner that the Arbitrator

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has passed the award, Annexure P/1, against the petitioner, without referring to evidence on record. It has been said that it was Jeet Singh, respondent No.3, who was responsible for the embezzlement and not the petitioner.

It is an admitted fact that the petitioner was working as a Secretary of respondent No.4-Society. He was responsible to maintain the accounts and it has come on record that at his instance, money was withdrawn by Jeet Singh and he had deposited the same to clear the recovered amount, which was received by the petitioner from two members of the Cooperative Society. A pure finding of fact has been given in that regard by the Arbitrator in the impugned award, Annexure P/1. We are satisfied that the finding is perfectly justified and no case is made out for interference.

Otherwise also, vide order dated 31.8.2006, the petitioner was directed to deposit an amount of Rs.30,000/- with the respondent No.4/society within 15 days, which he has failed to do so.

Dismissed.

[JASBIR SINGH]
JUDGE

[PRITAM PAL]
JUDGE

October 28 2006
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